

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK-----x
CHRISTINE C. ANDERSON

Plaintiff,

- against-

THE STATE OF NEW YORK, et. al.,

Defendants

-----x

07 Civ. 9599 (SAS)

USDC SDNY
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WHEREAS, the Court issued an Order for a Conference in accordance with Fed. R. Civ. P. 16(b) on (the "Order"); and

WHEREAS, the Order requires that the parties jointly prepare and sign a proposed scheduling order containing certain information;

NOW, THEREFORE, the parties hereby submit the following information as required by the Order:

(1) the date of the conference and the appearances for the parties: December 12, 2007

For Plaintiff: Tembani S. Xaba, Esq.
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For Defendants: Lee A. Adlerstein
Assistant Attorney General
120 Broadway
New York, NY 10271

(2) a concise statement of the issues as they then appear;

Plaintiff, public employee, alleges that defendants subjected her to harassment and adverse employment actions, including but not limited to, terminating her employment in retaliation for her exercise of her rights under the First Amendment to the United States Constitution in complaining to and advising her superiors of attorney misconduct and illegal acts that she had witnessed. Plaintiff also alleges that she was subjected to harassment and adverse employment actions because of

her race and age, including but not limited to the termination of her employment.

Defendants, public agencies and officials, deny plaintiff's allegations and state that employment actions with respect to plaintiff were taken for legitimate purposes in the proper discretion of the employer.

(3) a schedule including:

The parties shall serve upon each other Fed. R. Civ. P. 26(a)(1) initial disclosures by January 12, 2008.

(a) the names of persons to be deposed and a schedule of planned depositions;

Depositions of fact witnesses shall be completed by June 30, 2008.

Depositions of expert witnesses, if any, shall be completed by August 29, 2008.

At this time, plaintiff intends to depose the following individuals: Hon. John Buckley, Thomas J. Cahill, Sherry K. Cohen, David Spokony, Catherine O'Hagan-Wolfe, Naomi Goldstein, Roy Vallejo, Andral Bratton, Judith Stein, and Louisa Esposito. Plaintiff reserves the right to depose additional individuals should their identity and/or relevance become apparent during the course of discovery.

At this time, defendants intend to depose plaintiff, reserving the right to depose other people to be named.

(b) a schedule for the production of documents;

First requests for production of documents shall be served by February 12, 2008. Responses thereto shall be served by February 26, 2008 and documents responsive thereto shall be produced by March 11, 2008.

Interrogatories, if any shall be served by each party in accordance with the Federal Rules of Civil Procedure and Local Rule 33.3. Responses thereto shall be served within thirty days after service of the interrogatories, but shall not be required prior to March 14, 2008.

(c) dates by which (i) each expert's reports will be supplied to the adverse side and (ii) each expert's deposition will be

completed;

Expert reports, if any, shall be exchanged by July 31, 2008 and expert depositions shall be completed by August 29, 2008.

(d) time when discovery is to be completed;

Fact discovery shall be completed by June 30, 2008 and expert discovery shall be completed by August 29, 2008.

(e) the date by which plaintiff will supply its pre-trial order matters to defendant;

Plaintiff shall supply her pre-trial order matters to defendants by September 16, 2008.

(f) the date by which the parties will submit a pre-trial order in a form conforming with the Court's instructions together with trial briefs and either (1) proposed findings of fact and conclusions of law for a non-jury trial, or (2) proposed voir dire questions and proposed jury instructions, for a jury trial;

The parties shall submit a pre-trial order in a form conforming with the Court's instructions together with briefs and either (1) proposed findings of facts and conclusions of law for a non-jury trial, or (2) proposed voir dire questions and proposed jury instructions by October 16, 2008.

(g) The parties shall appear before the Court for a final pre-trial conference pursuant to Fed. R. Civ. P. 16(d) on:

September 3, 2008, at 1:30 p.m.

(4) a statement of any limitations to be placed on discovery, including any protective or confidentiality orders;

Defendants shall submit a proposed protective and confidentiality agreement and order to plaintiff for plaintiff's approval and agreement by January 25, 2008. The parties shall thereafter jointly submit such protective and confidentiality agreement and order to the Court by February 1, 2008.

(5) a statement of those discovery issues, if any, on which counsel, after a good faith effort, were unable to reach an agreement;

(6) anticipated fields of expert testimony, if any;

To be determined.

(7) anticipated length of trial and whether to court or jury;

Plaintiff has requested trial by jury. The length of trial, apart from jury selection, is expected to be approximately seven days.

(8) This Scheduling Order may be altered or amended only on a showing of good cause not foreseeable at the time of the conference of when justice so requires;

(9) names, addresses, phone numbers and signatures of counsel;

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SO ORDERED:



SHIRA A. SCHEINDLIN
U.S.D.J.

1/9/08